1947.

File No. B. Hindu Women's Rights & Property

Legal Deptt 47

B **BRANCH**

Subject:— A Bill to repeal the Bombay Hindu Women's Rights to Property (Extension of Agricultural Land) Act, 1942, and to re-enact section 2. thereof

L.A. Bill No XL of 1947

Bom. Act-No XX of 1947

File No. B. Hindu Women's Rights & Property/47

561-B

C O N T E N T S.

Legal Department File No. B. Hindu Women's Rights to Property /47.

Sr. No.	R.I'/G.No.	Subject	pages
		A Bill to repeal the Bombay Hindu Women's Rights to property (extension of Agricultural Land) Act, 1942, and to re-enact section 2 thereof.	
1.	U.R. to H.D.No. 911 dt. 25th Jan. 1947	Draft Bill	1 - 2
2.	G.L.D. No. 3611 dt. 14th April 1947	Seeking Governor's assent.	3 - 6
3.	L.D.R.I.No. 4936 dt. 22nd April 1947.	Governor's assent	7 - 8
4.	G.N.L.D.No. 1409 dt. 11th Feb. 1947	Publication of the Bill	9 - 12
5.	G.R.L.D.No. 4185 dt. 24th April 1947	Publication of the Act,	13 - 15
	———	Bill, Act, & Debates	19-34

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1916

Office of the R.L.A.

A draft Bill is sent herewith.

2. The Bill does not affect any special responsibility of the Governor under section 52 (1) of the Government of India Act, 1936.

3. The sub-ject matter of the Bill falls under entry 21 in the Provincial Legislative List in the Seventh Schedule to the Government of India A ct, 1935. The Bill does not require any sanction or recommendation of the Governor under the said Act. As the Bill does not relate to any matter in the Concurrent Legislative List, it is not necessary to reserve it for the consideration of the Governor-General with reference to section 107(3) of the Government of India Act, 1935.

4. A revised draft of Statement of Objects and Resons is sent herewith. The H.D. is requested to varify if it is suitable.

Sd/ 24.1

for Remembrancer of Legal Affairs.

U.R. to H.D. No. 911 dated the 25th January 1947

S.C. 4 C. 29/5

No. 3611

Legal Department.

Bombay Castle, 14th April 1947.

From

D.V.Vyas, Esquire. I.C.S.
Secretary to the Government of Bombay.

To

The Secretary to the Governor of Bombay.

Subject.- A Bill to repeal the Bombay Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942, and to re-enact section 2 thereof.

Sir,

With reference to section 75 of the Government of India Act, 1935, I am directed to forward herewith for the assent of the Excellency the Governor, an authentic copy of a Bill to repeal the Bombay Hindu Womens' Rights to Property (Extension to Agricultural Land) Act, 1942, and to re-enact section 2 thereof, which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council held on the 27th February and the Bombay Legislative Council held on the 27th February 1947 andon the 10th March 1947, respectively.

2. None of the provisions of the Bill affects any special responsibility of the Governor under section 52(1) of the Government of India Act, 1935, or falls within the purview of clause (a), (b), (c) ~~and~~ or (d) of papagraph XVII of the Instrument of Instructions to the Governor of Bombay.

3. The subject matter of the Bill falls under entry 21 in List II in the Seventh Schedule to the Government of India Act. 1935.

4. As the Bill does not relate to any matter in the Concurrent Legislative List, it is not necessary to reserve it for the consideration of the Governor General with reference to section 107(2) of the Government of India Act. 1935.

5. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

S.O. 29/5

6. I am also to forward herewith one copy of each of the papers noted in the margin. The Bill was not referred to a Select Committee.

1. Bill as introduced in the Bombay Legislative Assembly with the Statement of Objects and Reasons.	
2. Bill as read for the third time and passed by the Bombay Legislative Assembly and as introduced in the Bombay Legislative Council.	
3. Bill as read for the third time and passed by the Bombay Legislative Council.	
4. Extracting from the proceedings of the Bombay Legislative Assembly dated the 27th February 1947 and of the Bombay Legislative Council dated the 10th March 1947.	

I have the honour to be,

Sir,

Your most obedient servant,

O.C. D. V. Vyas

Secretary to the Government of Bombay
Legal Department.

Through

The Secretary to the Government of Bombay.
Home Department.

S.C. 4C. 29/5

No. G.S. 1337.
Office of the Governor's Secretary.
Government House.
Bombay , 22nd April 1947.

From

D. Symington, Esquire, C.I.E. , I.C.S.
Secretary to the Governor of Bombay.

To

The Secretary to Government.
Legal Department.

Subject.- The Bombay Hindu Women's Rights to Property (Extension to agricultural Land) Bill, 1947.

Sir,

With reference to your letter No. 3611, dated the 14th April 1947, I am directed to return herewith, with His Excellency the Governor's assent signified thereon, the copy of the Bombay Hid Hindu Women's Rights to Property (Extension to Agricultural Land) Bill, 1947.

Your Obedient Servant.

Sd/

Secretary to the Governor of Bom
Bombay.

B.C. 4 C. 29/5

Bills.

A Bill to repeal the Bombay Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942, and to re-enact section 2 thereof.

GOVERNMENT OF BOMBAY
Legal Department.
Resolution No. 1409
Bombay Castle, 11th February 1947.

Memorandum from the Home Department No. 2687/4-II-B dated the 8th February, 1947. Transferring for necessary action, the papers relating to a Bill to repeal the Bombay Hindu Women's Rights to Property (Extension to Agricultural Land) Act, and to re-enact section 2 thereof.

RESOLUTION.- The Bill with the Statement of Objects and Reasons should be forwarded to the Manager, Government Central Press, Bombay, for publication in the Bombay Government Gazette, dated the 11th February 1947, as Bill No. XI of 1947.

2. The Bill and the Statement of Objects and Reasons should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari Scripts) and the translations should be published in the Bombay Government Gazette on the 15th February 1947.

3. The dated dates of the various publications should be reported to the Secretary to the Bombay Legislative Assembly.

By order of the Governor of Bombay.

K.M.Chitnis,
Assistant Remembrancer of Legal Affairs.

To

The Manager, Government Central Press, Bombay (with the Bill and the Statement of Objects and Reasons and with a request that 230 Gazette copies of the Bill and the S. D.R. may be forwarded to the Secretary to the Bombay Legislative Assembly for distribution to the Members of the Bombay Legislative Assembly, and 20 copies for the use of the Legal Department).
The Home Department.
× The Oriental Translator to Government.) with a copy
The Secretary to the Bombay Legislative Assembly,) of the Bill
The Director of Publicity, Bombay.) and S.O.R.

*With five extra copies of the Bill.

Acts.

Publication of the Bombay Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1947.

GOVERNMENT OF BOMBAY.
Legal Department.
Resoluti n No. 4185
Bombay Castle, 24th April 1947.

Letter to the Secretary to the Governor, No. 3611, dated the 14th April 1947.

Letter from the Secretary to the Governor, No. G.S. 1337, dated the 22nd April 1947.

"With reference to your letter No. 3611, dated the 14th April 1947, I am directed to return herewith, with His Excellency the Governor's assent signified thereon, the copy of the Bombay Hindu Womens Rights to property (Extension to Agricultural Land) Bill, 1947."

RESOLUTION.- The law should be published as Bombay Act No. XIX of 1947 in the Bombay Government Gazette, dated the 25th April 1947.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari Scripts) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the Home Department with reference to the memorandum from that Department No. 2687/4-II-B, dated the 8th February 1947.

By order of the Governor of Bombay.

P.M.Lad.
Secretary to Government.

To

The Manager, Government Central Press, Bombay (with a ni copy of the Act and with a request that 15 Gazette copies of the Act may be forwarded to the Legal Department.
The Home Department.
*The Oriental Translator to Government,) With a
The Secretary to the Bombay Legislative Council,) copy of
The Secretary to the Bombay Legislative Assembly,) the Act.
The Director of Publicity, Bombay.

With five extra copies of the Act.

S.C. 29/5

Registered No. B-1

The Bombay Government Gazette

PUBLISHED BY AUTHORITY

FRIDAY, 25TH APRIL 1947.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV

(1) Acts of the Local Legislature of the Bombay Province and (2) Acts of the Indian Legislature assented to by the Governor General.

CONTENTS.

	PAGES
BOMBAY ACT No. XVIII OF 1947—An Act to amend the Bombay Village Police Act, 1867	188
BOMBAY ACT No. XIX OF 1947—An Act to repeal the Bombay Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942, and to re-enact section 2 thereof	189

The following Act of the Bombay Legislature having been assented to by the Governor on the 21st April 1947 is hereby published for general information.

P. M. LAD,
Secretary to the Government of Bombay,
Legal Department.

BOMBAY ACT No. XVIII OF 1947.

(First published, after having received the assent of the Governor, in the "Bombay Government Gazette" on the 25th April 1947.)

An Act to amend the Bombay Village Police Act, 1867.

WHEREAS it is expedient to amend the Bombay Village Police Act, 1867, for the purpose hereinafter appearing; Bom. VIII of 1867.
It is hereby enacted as follows :—

1. This Act may be called the Bombay Village Police (Amendment) Act, 1946. Short title.

2. In clause (*z*) of section 23 of the Bombay Village Police Act, 1867, for the words "Collector of Bombay" the words "Collector of the Bombay Suburban District" shall be substituted. Amendment of section 23 of Bom. VIII of 1867.

The following Act of the Bombay Legislature having been assented to by the Governor on the 21st April 1947 is hereby published for general information.

P. M. LAD,
Secretary to the Government of Bombay,
Legal Department.

BOMBAY ACT No. XIX OF 1947.

(First published, after having received the assent of the Governor, in the "Bombay Government Gazette" on the 25th April 1947.)

An Act to repeal the Bombay Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942, and to re-enact section 2 thereof.

WHEREAS in view of the provisions of sub-section (*4*) of section 93 of the Government of India Act, 1935, it is expedient to repeal the Bombay Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942, and to re-enact section 2 thereof; It is hereby enacted as follows :— 26 Geo. 5, Cl. 2. Bom. XVII of 1942.

Short title and extent.

1. (*1*) This Act may be called the Bombay Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1947.

(*2*) It extends to the Province of Bombay.

Repeal of Bom. XVII of 1942.

2. The Bombay Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942, is hereby repealed. Bom. XVII of 1942.

Term "property" in Acts No. XVIII of 1937 and No. XI of 1938 to include agricultural land.

3. The term "property" in the Hindu Women's Rights to Property Act, 1937, and the Hindu Women's Rights to Property (Amendment) Act, 1938, as in force in the Province of Bombay, shall include, and shall be deemed always to have included, agricultural land : XVIII of 1937. XI of 1938.

Provided that nothing in this Act shall affect any rule of succession prescribed for tenants' rights in agricultural land by any special law for the time being in force.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.